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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 29, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

Plaintiff,

V.

LA TRISA E.,

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

NO: 1:20-CV-3168-RMP

ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand pursuant to sentence four of 42 U.S.C. §405(g). ECF No. 17. Plaintiff La Trisa E. is represented by Attorney D. James Tree. The Defendant is represented by Special Assistant United States Attorney Shata L. Stucky.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**. Pursuant to the parties'

ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND ~ 1

¹ The Court uses Plaintiff's first name and last initial to protect her privacy.

1	stipulation, the Commissioner's final decision is reversed and remanded for
2	further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand
3	to the Commissioner of Social Security, the Appeals Council should instruct the
4	Administrative Law Judge to offer the claimant a new hearing and further evaluate
5	the severity of Plaintiff's impairments and the opinion evidence of record consistent
6	with the requirements of SSR 96-8p, including the opinion of Derek Leinenbach,
7	M.D. See ECF No. 17 at 2. The Appeals Council also should instruct the
8	Administrative Law Judge to obtain supplemental vocational expert evidence if
9	warranted by the record, and take any further action needed to complete the
10	administrative record and issue a new decision. See id.
11	Upon proper presentation, this Court will consider Plaintiff's application for
12	costs and attorney's fees under 28 U.S.C. § 2412(d).
13	IT IS FURTHER ORDERED that Plaintiff's Motion for Summary
14	Judgment, ECF No. 14, is DENIED AS MOOT.
15	IT IS SO ORDERED. The District Court Clerk is directed to enter this
16	Order and provide copies to counsel, enter judgment in favor of Plaintiff, and close
17	the file.
18	DATED July 29, 2021.
19	s/Rosanna Malouf Peterson
20	ROSANNA MALOUF PETERSON United States District Judge
21	

ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND $\sim 2\,$